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# Introduction

In accordance with the City Auditor's 2002-03 Audit Workplan, we conducted a survey to identify all City of San José (City) and Redevelopment Agency (Agency)-owned Real Property that private parties and non-profit organizations lease, occupy, or otherwise use.

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## Background

On May 21, 2002 the City Council requested that the Office of the City Auditor survey City departments, and the Redevelopment Agency, to identify all City and Agency-owned real property that private parties, and non-profit organizations lease, occupy, or otherwise use. Accordingly, for such property we requested, received, and compiled information from each City Department and Agency on the property address, property description, property use, occupant name, lease start date, lease expiration date, current rent, and rent payment terms. Specifically, we surveyed and received responses from the following City Departments and the Agency<sup>1</sup>:

- Airport
- Conventions, Arts, and Entertainment
- Environmental Services
- Fire
- General Services
- Housing
- Library
- Parks, Recreation, and Neighborhood Services
- Police
- Public Works
- Redevelopment Agency
- Transportation

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<sup>1</sup> We surveyed but did not receive responses from the Housing Department and the Fire Department.

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**Results**

As of July 31, 2002, we found that City Departments and the Agency have 217 leases and agreements with private parties and non-profit organizations to use City-owned space. Of these agreements, 43 appear to be with non-profit organizations. The number of City Departments and Agency leases and agreements are shown in Table 1. The specific leases and agreements by City Department and the Agency are shown in the attached appendices as indicated in Table I.

**Table I      Number Of City Department And Redevelopment Agency Leases And Agreements, As Of July 31, 2002**

<b>City Department</b>	<b>Non-profit Leases</b>	<b>Total Number of Leases and Agreements</b>	<b>Total Square Footage</b>	<b>Total Annual Revenue</b>	<b>Appendix</b>
Airport <sup>1</sup>	1	120	4.0 Million	\$32.0 Million	A
Conventions, Arts, and Entertainment	5	5	1.1 Million	0 <sup>4</sup>	B
General Services	13	40	4.5 Million <sup>2</sup>	223,000	C
Parks, Recreation, and Neighborhood Services	20	27	9.8 Million	3.8 Million	D
Public Works	0	13	2,000 <sup>3</sup>	133,200	E
Redevelopment Agency	4	12	212,800	238,600	F
<b>Total</b>	<b>43</b>	<b>217</b>	<b>19.6 Million</b>	<b>\$36.4 Million</b>	

*(Total Square Footage and Total Annual Revenue Amounts are rounded)*

<sup>1</sup> Airport leases and agreements, as of July 26, 2002.

<sup>2</sup> This includes about 54,000 square feet of office or facility space.

<sup>3</sup> The Department of Public Works telecommunication leases involve minimal use of City-owned space. According to Public Works' staff, most leases entail the placement of small devices and equipment in an area of about 150 square feet or less.

<sup>4</sup> In 2002-03, City staff indicated that the City provided \$3.5 million in subsidies for these five cultural institutions. Two institutions pay \$1.00 per year in rent.

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**Departments  
Provide Space To  
Selected  
Organizations With  
Working  
Relationships**

We also identified some cases where City Departments provide space to certain organizations that serve San Jose residents in conjunction with City services. Specifically, we found that the Library Department and San Jose Police Department (SJPD) provide certain non-profit organizations with office space in City facilities in order for those organizations to provide outreach services to residents.

The Library Department is a member of the consortium, the Silicon Valley Library System (SVLS). The SVLS attempts to answer reference questions, provide free use of other public libraries throughout northern California and provide other technical assistance for San Jose residents. The Library provides free work space to the SVLS on the second floor of the main library as part of its membership obligation and pays \$60,000 in annual membership dues to belong to the SVLS.

The Library also provides free space on the upper basement level of the main library to Books Aloud, a non-profit organization that records audiotapes of books and makes them available to blind and handicapped citizens in San Jose. The Library pays Books Aloud a \$4,000 monthly stipend.

The SJPD provides office space to Next Door, a non-profit organization that provides services to victims of domestic violence. The SJPD provides Next Door with \$109,000 in annual funding and provides free space at a facility that the SJPD leases to house its Domestic Violence Unit. Additionally, the SJPD provides the Victim Witness Assistance Center of Santa Clara County with \$75,000 in annual funding and free office space at the SJPD's Police Administration Building.

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**Additional Uses Of  
City Property**

We found that some organizations use or occupy City-owned space without agreements or leases. As shown in Appendix C, General Services staff reported that Christmas in the Park and the Fire Muster Team (non-profit corporations) occupy 32,000 square feet and 16,000 square feet, respectively, of Central Service Yard warehouse space. According to staff, these organizations have occupied this space since 1999 without agreements or leases. Additionally, we also found that the Transportation Department has an operating agreement with Our City Forest, a non-profit organization to coordinate neighborhood tree plantings. Since 1996, Our City Forest has

stored trees and planting materials at Fred Watson Park without a specific lease or agreement.

## APPENDIX A

### Airport Department Leases and Agreements

#	Occupant Name	Property Address	Agreement Type	Property Description	Property Use	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
1	A.P. Vehicle & Equipment Repair	1311 Airport Blvd	LE	387 SF	Airline Support	6/1/93	5/31/03	\$30,904
2	AA Federal Credit Union	Terminal A, C	CA		ATM Concession	3/20/00	3/19/03	\$15,600
3	ABX Air Inc (Airborne Express)	Ramp	OA		Cargo	11/1/97	3/31/06	\$18,713
4	ACM Aviation	1455 Airport Blvd	LE	25,608 SF	Hangar/Office	2/1/97	6/30/06	\$148,464
5	ACM Aviation	1455 Airport Blvd	LE	8,550 SF	Airport premises	3/1/02	2/28/05	\$11,545

#### Agreement Type Legend

- CA** Concession Agreement. The City utilizes Concession Agreements at the Airport to contract with companies to provide services to Airport users. Examples of Concession Agreements are food and beverage, retail, rental cars, display advertising, shoe shine, on-demand taxicab services, foreign currency exchange, and ATM's. The Concession Agreements themselves are Leases that include provisions specific to the services being provided under the Concession Agreement.
- LE** Lease. The City utilizes leases for companies operating at the Airport that require space for the conduct of their businesses at the Airport. Examples of leases are our agreements with the airlines for their use of holdroom, gates, baggage claim, office space, and hangar space. Other examples of leases are Concession Agreements such as food and beverage, retail, and rental cars. The City also has long term ground leases with fixed base operators (FBOs). The FBOs provide parking, fueling and maintenance service to general aviation pilots at the Airport.
- LI** License. As defined in Municipal Code Section 25.01.370, a license is similar to a lease in that it provides for the use of real property at the Airport. The Airport has been moving away from the use of licenses in favor of leases.
- MTM** Month-to-month term of occupancy.
- OA** Operating Agreement. Municipal Code Section 25.08.300 requires that the Airlines enter into Operating Agreements for their use of the airfield and other common facilities of the Airport. Most of the Airline Operating Agreements are combined into one agreement with the Airline Leases referenced above.
- PT** Permit. The City issues Permits to individuals and businesses that conduct regular business on the Airport. Permittees operate at the Airport, but they do not have particular space at the Airport where they conduct their operations. Examples of businesses that are issued permits are shuttle buses, limousines, and companies that provide aircraft maintenance and cleaning services to Airport tenants. Municipal Code Section 25.08.1500 provides for the City to issue permits to these types of businesses at the Airport.

#	Occupant Name	Property Address	Agreement Type	Property Description	Property Use	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
6	ACM Aviation	1475 Airport Blvd	LE	139,085 SF	FBO	3/1/66	6/30/06	\$157,668
7	Air Transport International	1311 Airport Blvd	LE	1,427 SF	Hangar	1/1/99	2/28/07	\$3,624
8	Air Transport International	Ramp	OA		Cargo	3/1/99	2/28/07	\$72,000
9	Airport Group International	1277 Airport Blvd	LE	1,590 SF	Airline Support	7/1/98	12/31/06	\$7,632
10	Airport Group International	1278 Airport Blvd	LE	1,333 SF	Terminal/Hangar	1/1/99	12/31/02	\$59,828
11	Alamo Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/7/99	3/31/05	
12	Alamo Rent A Car	Green Overflow & North Storage Lots	LE	18,654 SF	Ground Lease	5/7/00	3/31/05	\$25,183
13	Alaska Airlines	Terminal C	OA	10,876 SF	Airline	4/1/95	MTM	\$811,017
14	America West Airlines	Terminal C	OA	4,281 SF	Operating Agreement	11/1/94	10/31/02	\$289,907
15	American Airlines	1521 Airport Blvd	LI	7,200 SF	Airfreight	12/1/88	11/30/03	\$122,160
16	American Airlines	Terminal A	LE	35,475 SF	Ground Lease	10/1/90	11/30/07	\$61,118
17	American Airlines	Ramp	LE	291,552 SF	Ramp Lease	10/9/90	11/30/07	\$1
18	American Airlines	1253 Airport Blvd	LE	41,520 SF	Hangar	11/1/89	10/31/95	\$121,575
19	American Airlines	1277 Airport Blvd	LE	3,080 SF	Hangar	9/1/99	8/31/04	\$14,430
20	American Airlines	Ramp	OA		Operating Agreement	4/1/78	11/30/07	\$0
21	American Airlines	Terminal A	LE	30,758 SF	Term Lease	4/1/78	11/30/07	\$3,392,219
22	American Eagle Airlines	Ramp	OA		Operating Agreement	3/1/02	2/28/05	\$0
23	American Express	Terminal C	CA		ATM Concession	4/15/99	4/30/07	\$15,600
24	American Indoor Advertising	Terminal A, C	CA		Bathroom Advertising			\$100,000
25	AT&T Cellular	Terminal A, C	LE		Property Use	11/15/00	11/15/05	\$63,000
26	AV Base/Air One	1144 Coleman Ave	LE	117,757 SF	FBO	1/15/68	6/30/08	\$151,351
27	AV Base/Aris Leasing	1138 Coleman Ave	LE	95,779 SF	FBO	4/1/67	6/30/07	\$123,102
28	Avis Rent A Car	Green Overflow & North Storage Lots	LE	72,050 SF	Ground Lease	6/13/92	3/31/05	\$121,015
29	Avis Rent A Car	2200 Airport Blvd	CA		Operating Agreement	12/7/99	3/31/05	\$2,635,472
30	Bank of the West	Terminal A, C	LE		ATM Concession	2/1/97	1/31/06	\$23,400
31	Beirne, Gilbert A.	1277 Airport Blvd	LE	260 SF	Hangar/Office	11/1/98	10/31/03	\$1,560
32	Bizspo News	Terminal A, C	PT		Newsrack	9/1/85	MTM	\$0
33	Budget Rent A Car	Green Overflow & North Storage Lots	LE	36,644 SF	Ground Lease	6/13/92	3/31/05	\$60,957
34	Budget Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$1,164,654
35	Chevron Fuel Farm	1401 Airport Blvd	LE	.388 Acres	Ground Lease	7/1/95	6/30/03	\$6,125
36	Cingular Wireless	Terminal A, C	LE		Wireless	7/11/02	7/11/07	\$62,700
37	Continental Airlines	Terminal C	OA	1,789 SF	Operating Permit	6/6/96	6/5/05	\$118,856

#	Occupant Name	Property Address	Agreement Type	Property Description	Property Use	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
38	Continental Airlines	Terminal C	LE	160 SF	Terminal Space	1/1/00	12/31/02	\$10,560
39	Continental Airlines	Terminal C	LE	916 SF	T/C Mezz Office	6/1/00	5/31/03	\$60,456
40	Delta Airlines	Terminal C	LI	795 SF	Loading Bridge	11/1/89	11/30/07	\$1,789
41	Delta Airlines	1311 Airport Blvd	LE	2,843 SF	Hangar	10/1/89	9/30/05	\$14,136
42	Delta Airlines	1521 Airport Blvd	LI	2,323 SF	License-Air Freight	9/1/99	8/31/02	\$39,408
43	Delta Airlines	Terminal C	OA	6,375 SF	Ops & Lease	11/30/78	11/30/07	\$183,789
44	DFS Group LP	Terminal A, C	CA	5,654 SF	Duty Free Shop	1/1/89	10/31/07	\$1,200,000
45	Dollar Rent A Car	Green Overflow & North Storage Lots	LE	33,045 SF	Ground Lease	6/13/92	3/31/05	\$52,993
46	Dollar Rent A Car	2300 Airport Blvd	CA		Operating Agreement	6/13/92	3/31/05	\$811,406
47	Emery Worldwide Airlines, Inc.	Ramp	OA		Operating Agreement	8/29/88	8/31/04	\$0
48	Emery Worldwide Airlines, Inc.	Ramp	LE	3,450 SF	Ground Lease	9/1/94	8/31/04	\$4,658
49	Enterprise Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$355,487
50	Enterprise Rent A Car	North Storage Lot	LE	9,078 SF	Ground Lease	5/7/00	3/31/05	\$12,555
51	Federal Aviation Agency	Airfield	LE	3 Acres	Government	1/1/88	9/30/02	\$0
52	Federal Aviation Agency	Airfield	LE	0.028 Acres	Government	7/1/89	9/30/04	\$0
53	Federal Aviation Agency	275 Martin Avenue	LE	1.1 Acres	Government	1/1/91	9/30/10	\$0
54	Federal Aviation Agency	Airfield	LE	0.036 Acres	Government	10/1/98	9/30/03	\$0
55	Federal Aviation Agency	Airfield	LE	60 SF	Government	10/1/78	9/30/09	\$0
56	Federal Aviation Agency	Airfield	LE	.15 Acres	Government	10/1/01	9/30/21	\$0
57	Federal Aviation Agency	Airfield	LE	2.54 Acres	Government	10/1/01	9/30/21	\$0
58	Federal Aviation Agency	Airfield	LE	4.23 Acres	Government	10/1/01	9/30/21	\$0
59	Federal Aviation Agency	Airfield	LE	2.996 Acres	Government	10/1/01	9/30/21	\$0
60	Federal Aviation Agency	Airfield	LE	18.32 Acres	Government	7/1/95	9/30/10	\$0
61	Federal Aviation Agency	Airfield	LE	1.486 Acres	Government	10/9/73	6/30/13	\$0
62	Federal Express	Ramp	OA	56,859 SF	Air Cargo	2/27/89	2/28/10	\$243,261
63	Federal Express	2091 Airport Blvd	LE	21,105 SF	Air Cargo	11/1/97	10/31/09	\$28,492
64	Federal Express	Terminal A, C	CA		Drop Boxes	7/1/01	6/30/06	\$1,200
65	Fox Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$124,394
66	Fox Rent A Car	North Storage Lot	LE	9,013 SF	Ground Lease	5/7/00	3/31/05	\$12,167
67	Globe Airport Security Services	Terminal A, C	LE	582 SF	T/A + T/C Lease	8/1/00	7/31/05	\$50,504
68	Hertz Corporation	Green Overflow & North Storage Lots	LE	191,137 SF	Ground Lease	6/13/92	3/31/05	\$169,287

#	Occupant Name	Property Address	Agreement Type	Property Description	Property Use	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
69	Hertz Corporation	2200 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$3,980,395
70	Hewlett Packard	1210 Aviation Blvd	LE	308,776 SF	Hangar	6/1/86	11/30/28	\$449,145
71	Horizon Air Industries	Terminal C	OA		Operating Agreement	11/12/98	11/11/03	\$72,000
72	Host International, Inc.	Terminal A, C	CA	17,462 SF	Concession	11/24/98	6/30/09	\$1,513,710
73	Host International, Inc.	Terminal C	LE	170 SF	Concession/Office	7/1/99	6/30/99	\$11,050
74	Host International, Inc.	Terminal A, C	LE	367	Concession/Office	4/1/01	3/31/04	\$24,000
75	ICE Lenlyn Currency Exchange	Terminal A, C	CA		Concession	11/15/99	10/31/02	\$14,400
76	InMotion Pictures	Terminal C	CA	107 SF	Concession	11/1/99	10/31/02	\$18,000
77	Integrated Airline Services, Inc.	1455 Airport Blvd	LE	350 SF	Office Lease	11/15/99	11/14/02	\$4,200
78	JC Decaux	Terminal A, C	PT		Terminal Advertising	5/7/82	MTM	\$233,088
79	Jones, Ltd. (Shoeshine)	Terminal C	CA	85 SF	Concession	9/1/80	8/31/02	\$10,115
80	LSG/Sky Chefs	1355 Airport Blvd	LE	2,247 Acres	Airline Support	2/15/96	2/14/16	\$1,858,430
81	McDonald's Corporation	Terminal A	CA	2,074 SF	Concession	11/17/98	MTM	\$240,000
82	Mesa Airlines, Inc.	Terminal C	OA		Airline	2/17/02	2/16/05	\$0
83	Mexicana Airlines	Terminal C	OA	3,877 SF	Airline	2/1/89	11/30/07	\$256,541
84	Mexicana Airlines	1277 Airport Blvd	LE	363 SF	Office Lease	12/15/97	12/14/05	\$1,981
85	Mobilestar	Terminal A, C	LE		Property Use	5/29/01	5/29/06	\$60,000
86	National Car Rental	Green Overflow & North Storage Lots	LE	39,348 SF	Ground Lease	6/13/92	3/31/05	\$61,972
87	National Car Rental	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$2,036,000
88	Neptune Networks, Inc.	Terminal A, C	CA		Concession Agreement	8/14/01	8/13/02	\$19,200
89	Northwest Airlines	Terminal A	OA	3,694 SF	Operating Agreement	5/15/90	11/30/07	\$251,270
90	Ogden Ground Services	1277 Airport Blvd	LE	5,351 SF	Hangar	3/1/97	4/30/07	\$13,814
91	Ogden Ground Services	Terminal C	LE	332 SF	Office Lease	1/1/97	2/2/05	\$21,580
92	Payless Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$104,547
93	Payless Rent A Car	North Storage Lot	LE	9,040	Ground Lease	5/7/99	3/31/05	\$12,204
94	SF Newspaper Agency	Terminal A, C	PT		Newsrack	MTM	MTM	\$0
95	San Jose Jet Center	1250 Aviation Blvd.	LE	653,400 SF	FBO	7/1/85	6/30/35	\$838,266
96	San Jose Jet Center	1455 Aviation Blvd.	LE	13,315 SF	Ramp, Office Space	9/12/99	9/11/02	\$43,000
97	San Jose Mercury News	Terminal A, C	PT		Newsrack	MTM	MTM	\$0
98	Skywest Airlines	Terminal C	OA	487 SF	Operating Agreement	6/1/98	5/31/03	\$16,149
99	Smarte Carte	Terminal A, C	CA	209 SF	Concession	4/1/97	3/31/07	\$13,082

#	Occupant Name	Property Address	Agreement Type	Property Description	Property Use	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
100	Southwest Airlines	Terminal A	OA	35,478 SF	Operating Agreement	5/1/93	4/30/03	\$4,832,004
101	Southwest Airlines	1521 Airport Blvd	LI	4,748 SF	Air Freight	1/1/94	11/30/03	\$80,532
102	Sprint Spectrum	Terminal C	LE		Property Use	5/29/01	5/28/06	\$62,400
103	State of California	1120 Coleman Avenue	LE	5 Acres	SJSU Aero Department	7/1/60	6/30/10	\$2,500
104	T.A.M.C.O	1277 Airport Blvd	LE	626 SF	Airline Support	7/1/01	6/30/04	\$3,756
105	Tech Museum	Terminal A	CA	42 SF	Sculpture Display	8/15/91	8/31/02	\$0
106	Thrifty Rent A Car	2300 Airport Blvd	CA		Operating Agreement	12/8/99	3/31/05	\$209,296
107	Thrifty Rent A Car	North Storage Lot	LE	9,001 SF	Ground Lease	5/7/00	3/31/05	\$12,151
108	TWA	Terminal C	OA	2,705 SF	Operating Agreement	11/1/78	11/30/07	\$164,595
109	United Airlines	1521 Airport Blvd	LI	4,800 SF	Air Freight	12/1/90	11/30/03	\$81,420
110	United Airlines	1311 Airport Blvd	LE	2,220 SF	Hangar	3/1/94	2/28/97	\$5,730
111	United Airlines	Terminal C	LE	124 SF	Baggage Claim Office	8/1/98	11/30/07	\$8,184
112	United Airlines	Terminal C	LE	2,315 SF	Mezz Lease	2/1/00	1/31/03	\$152,790
113	United Airlines	1277 Airport Blvd	LE	2,580 SF	Hangar	12/16/99	11/30/02	\$18,138
114	United Airlines	Terminal C	OA	9,520 SF	Operating Agreement	6/26/68	11/30/07	\$661,220
115	United Parcel Service	Ramp	OA	6,000 SF	Cargo Operation	8/1/97	7/31/02	\$13,704
116	United Parcel Service	1277 Airport Blvd	LE	21,008 SF	Building/Ramp Lease	10/1/97	9/30/05	\$63,900
117	US Department of Commerce	Airfield	LI		ASOS Equipment	4/12/96	4/11/11	\$0
118	USA Today	Terminal A, C	PT		Newsrack	11/12/82	MTM	\$0
119	USO of Northern California, Inc. <sup>2</sup>	1661 Airport Blvd.	LE	1,420 SF	USO Center	7/2/91	6/30/05	\$1
120	Wayport	Terminal A, C	LE		Property Use	11/15/00	11/15/05	\$47,250

**TOTAL 4.0 Million  
Square Feet**

**\$32.0 Million**

<sup>2</sup> Non-profit entity.

## APPENDIX B

### Department Of Conventions, Arts And Entertainment Operating And Management Agreements

City-Owned Property	Address	Information
<b>Children's Discovery Museum</b>	180 Woz Way San Jose, CA 95110	52,000 square foot facility designed by Legorreta Arquitectos. Opened in June 1990 with an 8,500-sq-ft. expansion completed in 1997. Designed as a Children's Museum and as a signature building in the Guadalupe River Park. Operations and Management Agreement for Museum facility commenced on June 1990 and has a 55-year term with 4 additional terms of 11 years for a total of 99 years. In 2002-03, the City provided a subsidy of \$300,000.
<b>History San Jose</b>	1650 Senter Road San Jose, CA 95112	Properties include the History Park in Kelley Park consisting of over 14 acres and 24 buildings, the Peralta Adobe and Fallon House Complex in downtown San José, and the Collection Center storage areas at the Central Services Yard. Agreement dated April 1, 1998 with the term for 20 years ending on March 31, 2018 with an extension period of 10 years upon mutual agreement. The Rotary Club of San Jose leases the Gordon House located at the History Park. In 2002-03, the City provided a subsidy of \$951,055. This subsidy is designed to be reduced over the 20 years of the agreement.
<b>Mexican Heritage Plaza</b>	1700 Alum Rock Avenue San Jose, CA 95116	The Mexican Heritage Plaza is a 6.2-acre facility at King Road and Alum Rock Avenue. It includes a 500-seat theater, large outdoor plaza, gallery, large community multi-purpose room and office areas. An Operations and Maintenance Agreement dated March 7, 1996; the term of the agreement is upon execution to June 30, 2015 with 2 additional terms of 10 years each for a total of 35 years. Rent fee is \$1 per year. In 2002-03, the City provided a subsidy of \$413,783.
<b>San Jose Museum of Art</b>	110 S. Market Street San Jose, CA 95113	Located on the southeasterly corner of the intersection of Market and San Fernando Street in the 1892 historic Post Office building with a new wing of 78,000-sq. ft. with Gift Shop and Café opened in June 1991. Operation and Maintenance Agreements of the San José Museum of Art executed with City and dated June 24, 1988 for a 55-year term. In 2002-03, the City provided a subsidy of \$535,000. The City is responsible for providing custodial and minor maintenance issues at the San Jose Museum of Art.
<b>The Tech Museum of Innovation</b>	201 S. Market Street San Jose, CA 95113	A permanent facility designed by Legorreta Arquitectos that opened on October 31, 1998 and consists of 112,000-sq. ft. including a 295-seat IMAX Dome Theater. Operations and Maintenance agreements for the Museum are for a 55-year period beginning July 11, 1994, including portions of the Civic Auditorium complex referred to as McCabe Hall. Rent fee is \$1 per year. In 2002-03, the City provided a subsidy of \$1.3 million.

**Total    1.1 Million Square Feet**

**Auditor's Note:** CAE staff indicated that in 2002-03, the City provided \$3.5 million in subsidies for these five cultural institutions. In 2001-02, these amounts were adjusted by a one-time cost of living adjustment of 3.5 percent. The City is responsible for capital maintenance issues at these facilities. The Redevelopment Agency holds the title to the land on which the Children's Discovery Museum, Fallon House gift shop and parking lot, and San Jose Museum of Art expansion sit.

## APPENDIX C

### General Services Department Leases and Agreements

#	Occupant Name	Property Address	Property Description	Lease/Use Start Date	Lease Expiration Date	Rent	Rent Payment Term
1	ACT for Mental Health <sup>3</sup>	441 Park Avenue	3 units (3,440 SF)	6-Jun-81	7-Jun-05	\$12.00	Annually
2	African American Community Services Agency <sup>1</sup>	304 N. Sixth Street	2-story building (8,073 SF) on 18,500 SF lot	10-Feb-78	30-Jun-99	\$100.00	Monthly
3	Air Products and Chemicals, Inc.	Highway 880 & Montague	Gas pipeline	23-Jun-96	22-Jun-11	\$3,652.00	Annually
4	Almaden Welding	1397 Almaden Avenue	15,246 SF Lot	1-Feb-85	30-Jan-35	\$100.00	Monthly
5	Alum Rock Unified School District	1970 Senter Road	Single family home for education center	11-Aug-94	30-Jun-97	\$1.00	Monthly
6	Alviso Family Health	1621 Gold Street	6,534 SF parcel	10-Apr-67	6-Mar-77	\$1.00	Annually
7	U.S. Postal Service	1525 Gold Street	40,511 SF Parcel Ground Lease	2-Aug-83	31-Jan-34	\$5,416.00	Annually
8	Andrew Arzino	Nortech Parkway	77 acres	23-Aug-76	30-Sep-95	\$1,540.00	Monthly
9	Bellarmino College Prep	Hedding St. Overpass	20,473 SF Parcel	10-Nov-58	12-May-29	\$0	n/a
10	Lucille Birkeland	630 3rd Street	6,970 SF lot	18-Oct-79	MTM	\$210.00	Monthly
11	Boys & Girls Club of Santa Clara County <sup>1</sup>	110 E. Jackson Street	1.3 acres parcel with clubhouse	16-Aug-48	31-Dec-98	\$1.00	Monthly
12	Christmas in the Park <sup>1</sup>	1661 Senter Road	32,000 SF Warehouse space	1999	--	\$0	n/a
13	Congress of Arab Americans <sup>1</sup>	416 Park Ave	578 SF Office	30-Nov-00	30-Nov-05	\$12.00	Annually
14	Devcon Construction	495 Almaden Blvd	180 SF lot	1-Sep-00	31-Aug-02	\$4,176.00	Flat
15	Eastside Parents Participating Nursery <sup>1</sup>	937 Piedmont Road	6,098 SF parcel for playground	1-Jun-76	31-Jan-93	\$84	Annually
16	Olivia Ferrari	1900 Senter Road	3,320 SF (Mobile home & single family unit) and 3.45 acres	5-Jun-78	MTM	\$500.00	Monthly

<sup>3</sup> Non-profit entity.

#	Occupant Name	Property Address	Property Description	Lease/Use Start Date	Lease Expiration Date	Rent	Rent Payment Term
17	Fire Muster Team <sup>1</sup>	1661 Senter Road	16,000 SF Warehouse space	1999	--	\$0	n/a
18	G.I. Forum <sup>1</sup>	765 Story Road	41,857 SF parcel	30-Jun-98	30-Jun-48	\$3.00	Annually
19	Green Valley Corporation	Julian & Market	7,458 SF Landscaped Area	28-Jul-80	27-Jul-85	\$1.00	Annually
20	Indo Chinese Resettlement & Cultural Center <sup>1</sup>	410 to 422 Park Avenue	5 office units that occupy 2,916 SF	31-Aug-82	17-Jul-05	\$12.00	Annually
21	JSM Enterprises	South Sixth St @ Bestor	31,799 SF lot	27-Jul-01	14-Nov-02	\$4,646.00	Monthly
22	Jubilee Christian Center	175 Nortech Parkway	1.3 acres open space	1-Sep-96	30-Aug-99	\$201	Annual
23	Knight-Ridder (San Jose Mercury News)	801 N. 1st Street	Room 206 in City Hall	1-Jul-92	MTM	\$350.00	Monthly
24	Kico Lin & Rudy Young	1095 Bird Avenue	17,860 SF Ground Lease	12-Mar-85	30-Apr-35	\$738.61	Monthly
25	George Maciel	Dearborn Street	12,000 SF Lot	1-Jun-80	MTM	\$50.00	Monthly
26	McCarthy Trust	Across the creek from SJ/SCC Water Pollution Control Plant	6 acres, plus a house, portable, well, and tank	17-Aug-00	16-Aug-05	\$800.00	Annually
27	Emilio Mendoza	414 Park Ave	600 SF Office Space	1-Jun-87	MTM	\$525.00	Monthly
28	Pacific Bell	5285 Doyle Road	20,000 SF lot for parking	24-Jul-67	16-Nov-06	\$3,015.64	Monthly
29	Pacific Gas And Electric	Lake Cunningham Park	Gas Regulator Facility	7-Sep-93	6-Sep-18	\$5,000.00	One-time
30	Prax Air / Union Carbide	River Oaks Park, Hwy I-880 & Montague Expy	Gas Pipeline	30-June-92	29-June-02	\$4,193.00	Annually
31	Resources for Families & Communities <sup>1</sup>	1807 Sarasota Way	1,040 SF Single Family House on 6,534 SF lot	1-Sep-00	31-Aug-02	\$12.00	Annually

<sup>1</sup> Non-profit entity.

#	Occupant Name	Property Address	Property Description	Lease/Use Start Date	Lease Expiration Date	Rent	Rent Payment Term
32	River Street Development Agency	St. James and Julian	Historic District	4-June-96	4-June-46	\$1.00	Annually
33	San Jose Conservation Corps <sup>1</sup>	2650 Senter Road	64,419 SF lot with single family house and garage	1977	30-Apr-30	\$12.00	Annually
34	San Jose Participating Nursery School <sup>1</sup>	2180 Radio Avenue	10,560 SF Lot	31-May-85	31-Jul-05	n/a	n/a
35	San Jose Unified School District	1060 E. Empire Street	3.36 acres for school site	1-Jul-59	30-Jun-13	\$1.00	Annually
36	Santa Clara County Hazardous Waste Collection	10th Street & Phelan (Central Service Yard)	8,000 SF lot	1-Feb-96	31-Jan-01	\$1.00	Annually
37	Santa Clara Valley Rifle Club <sup>1</sup>	1580 South 10th Street	2,280 SF Building	29-Nov-99	30-Jun-02	\$1.00	Monthly
38	Shell Oil/Equilon Enterprises	1699 King Road	19,641 SF Lot Service Station	1-Jun-85	31-May-05	\$5,604.00	Monthly
39	David & Maryleigh Wilson	Willam Street @ Coyote River	20,473 SF parcel	1-Nov-67	MTM	\$1.00	Annually
40	Zanotto's Market	40 South 2nd Street	Sub-surface access for alarm system	12-Jun-00	11-Jun-05	\$725	One-time

**Total**

**4.5 Million  
Square Feet**

**\$223,002**

<sup>1</sup> Non-profit entity.

#### Notes

*Italics* denotes estimate.

MTM denotes month-to-month.

SF denotes square feet.

Christmas in the Park and the Fire Muster Team, non-profit corporations, occupy 32,000 square feet and 16,000 square feet, respectively, of Central Service Yard warehouse space. These organizations occupy City-owned space without leases.

Rent Totals exclude one-time payments.

## APPENDIX D

### Department of Parks, Recreation, and Neighborhood Services Leases and Agreements

#	Occupant Name	Property Address	Property Ownership Status	Property Use	Entity	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
1	Baseball Acquisition Company	588 E. Alma Street (Municipal Stadium)	Owned	Baseball Stadium 18 Acres	Corporation	10/1/1999	10/1/2002	\$9,000 <sup>4</sup>
2	Berryessa Little League	Penitencia Creek Park	Owned	Refreshment stand	Non-Profit	1/1/2000	12/31/2001	5% of gross receipts from refreshment stand sales
3	Catholic Charities	Eastside Senior Center	Owned	Provide senior services	Non-Profit	7/1/2000	6/30/2001	\$0
4	Catholic Charities	Washington Youth Center	Owned	Provide youth services	Non-Profit			\$0
5	Filipino Youth Coalition	Welch Park	Owned	Welch Park Shelter Building 2,180 SF	Non-Profit	9/1/1999	8/31/2001	\$0
6	Filipino-American Senior Opportunities Development Council, Inc.	Northside Community Center	Owned	Provide senior services 3,000 SF	Non-Profit	7/1/1999	6/30/2001	\$0
7	Girls Scouts of Santa Clara County, Inc.	Welch Park	Owned	Welch Park Shelter Building 2,180 SF	Non-Profit	9/1/1999	8/31/2001	\$0
8	Hayes Renaissance L.P.	Hayes Mansion Conference Center	Owned	Hotel and Conference Center 15.6 Acres	Partnership	6/1/1994	12/31/2051	\$1.3 million <sup>5</sup>
9	Korean American Community Service Agency	Sherman Oaks Community Center	Leased	Provide social and community service programs 5,700 SF	Non-Profit	3/23/1998	3/22/2022	One time payment of \$50,000 (\$10,000 for equipment and \$40,000 for property)
10	Lincoln Glen Little League	River Glen Park	Owned	Refreshment stand	Non-Profit	1/1/2002	12/31/2003	\$750
11	Metropolitan Adult Education Program	Gardner, Kirk, Olinder, Roosevelt and Watson Community Centers and Alma, Cypress, St. James and Willows Senior Centers 37,000 SF	Owned	Provide Adult Education Program	Non-Profit	7/1/1999	6/30/2002	\$0
12	Mexican American Community Services Agency, Inc.	Alviso Community Center	Owned	Use of Community Center 1,740 SF	Non-Profit	6/1/1999	5/31/2001	\$600
13	Mexican American Community Services Agency, Inc.	Olinder Community Center	Owned	Use of Community Center 6,300 SF	Non-Profit	9/1/1998	8/31/2001	\$0

<sup>4</sup> These payment amounts are based on a percentage of gross receipts and may be subject to fluctuation.

<sup>5</sup> In addition to the lease payments, the City also receives two annual payments based on a percentage of gross revenue.

#	Occupant Name	Property Address	Property Ownership Status	Property Use	Entity	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
14	Nicole Delbos	Camden Lifetime Activities Center	Owned	Exercise Classes	Individual	1/1/2001	12/31/2001	Agency will pay City 30% of gross receipts or minimum of \$10,040 whichever is greater
15	North Valley Little League	Flickinger Park	Owned	Refreshment stand	Non-Profit	1/1/2002	12/31/2003	\$500
16	Northern California Special Olympics	43 E. Gish Road	Leased	Joint Special Olympics Project	Non-Profit	1/1/2001	12/31/2003	\$0
17	Northside Theater Council of San Jose	Olinder Community Center	Owned	Office space and use of room with stage	Non-Profit	9/1/2000	8/31/2003	\$1,000
18	Ogden Entertainment	Lake Cunningham Park	Owned	Water-theme Park 24 Acres	Corporation	3/5/1985	3/5/2025	\$264,000 <sup>6</sup>
19	Peninsula Soccer Football League, Inc.	Fred Watson Park	Owned	Use of soccer field and concession rights	Non-Profit	7/1/2002	6/30/2005	\$1,200
20	Mike Rawitser Golf Shop	San Jose Municipal Golf Course	Owned	Golf Course 150 Acres	Corporation	1/1/1998	12/30/2012	\$119,000 <sup>3</sup>
21	ROHI Alternative Community Outreach, Inc.	Camden Community Center	Owned	Midnight youth basketball	Non-Profit	9/1/2001	6/30/2002	\$0
22	San Jose Arena Management	Logitech Ice Centre	Owned	140,000 SF Ice Center	Partnership	6/1/1994	12/12/2025	\$2.1 Million
23	San Jose Police Activities	JR Blackmore PAL Sports Center Complex	Owned	Sports center and parking 14.2 acres	Non-Profit	1/25/1983	1/25/2003	\$1
24	San Jose State University	Houge Center	Owned	Occupational Therapy Clinic 2,800 SF	Government	8/28/2001	6/1/2004	\$0
25	Self-Help for the Elderly of Santa Clara County	St. James Senior Center and Iola Williams Senior Center	Owned	Provide senior programs	Non-Profit	7/1/1999	6/30/2002	\$0
26	Silicon Valley Inner-City Games	Camden Community Center	Owned	Co-sponsor Inner City games-use of office space	Non-Profit	7/1/2001	7/31/2002	\$0
27	Willow Glen Little League	Bramhall Park	Owned	Refreshment stand	Non-Profit	1/1/2002	12/31/2003	\$600
Total				9.8 Million Square Feet	\$3.7 Million			

<sup>6</sup> These payment amounts are based on a percentage of gross receipts and may be subject to fluctuation.

<sup>7</sup> The Department of Public Works telecommunication leases involve minimal use of City-owned space. According to Public Works’ staff, most leases entail the placement of small devices and equipment in an area of about 150 square feet or less.

## APPENDIX E

### Department Of Public Works Telecommunication Leases<sup>7</sup>

#	Property Address	Occupant Name	Total Annual Rent	Lease Start Date	Lease Expiration Date
1	Silver Creek Valley Road & Yerba Buena, Pole #16S20	Cell One	\$10,800	20-Jul-99	20-Jul-04
2	Running Springs Road & Early Morning Lane, Pole #17V17	Cell One	\$10,800	20-Jul-99	20-Jul-04
3	199 Innovation Drive (Fire Station 29)	AT&T Wireless Services	\$18,004	26-May-98	16-Mar-03
4	San Jose Convention Center	Cell One	\$0	26-Aug-96	MTM
5	4510 Cadwallader Ave.	County of Santa Clara	\$0	22-May-90	22-May-05
6	Alum Rock Park (Eagle Rock)	County of Santa Clara	\$0	22-May-90	22-May-05
7	5090 Williams Road	County of Santa Clara	\$0	22-May-90	22-May-05
8	San Jose Convention Center	Verizon Wireless	\$0	1-Nov-95	MTM
9	Coyote Creek Park	Imperio, Inc	\$49,068	14-Jun-85	31-Aug-15
10	245 S. Montgomery St.	IXC Communications	\$3,126	18-Jan-00	18-Jan-15
11	1661 Senter Road (Central Service Yard)	Nextel of CA, Inc	\$19,809	18-Jan-00	17-Jan-05
12	245 S. Montgomery St.	Nextel of CA, Inc	\$3,000	25-Jun-99	25-Jun-14
13	150 W. San Carlos St.	Nextel of CA, Inc	\$18,600	18-Jan-00	18-Jan-05

**Total     \$133,207**

## APPENDIX F

### Redevelopment Agency Leases and Agreements

#	Property Address	APN	Property Description	Square Footage	Date Property Acquired	Occupant Name	Lease/Use Start Date	Lease Expiration Date	Total Annual Rent
1	510 South First St.	472-26-037	Gallery	4,525	8/1/1998	MACLA <sup>1</sup>	2/4/1994	12/31/2003	\$16,800
2	490 South First St.	467-47-098	Theater	6,791	4/6/1990	San Jose Stage Company <sup>1</sup>	4/6/1990	12/31/2003	\$24,000
3	50 St. John St.	467-21-013	Office space	4,201	7/1/1993	Santa Clara Black Chamber of Commerce <sup>1</sup>	12/1/1996	6/1/2003	\$42,000
4	27 South First St.	259-40-043	Retail	48,934	1998	House of Blues <sup>2</sup>	1/30/2001	1/30/2016	\$1 per year; Percent of revenue after 5 years
5	288 South Second St. <sup>3</sup>	467-46-097	Theater	37,026	Unknown	Camera	8/22/1983	8/22/2003	\$3,240
6	98 Paseo de San Antonio	467-46-104	Retail	930	Built 1999	Rosies & Posies	10/1/1999	9/30/2004	\$20,088
7	150 South Second St.	467-60-015	Restaurant	5,070	Unknown	Hawg's Seafood	12/17/1999	12/16/2009	\$48,000
8	287 North San Pedro & Julian St.	259-32-081	Parking lot	56,754	Unknown	Green Valley	1/30/1982	Monthly	\$11,340
9	500 South First St, Unit A	472-26-037	Retail	3,700	1998	Guerrero's Mercado	10/1/1997	Monthly	\$26,640
10	456 Almaden Ave. 470 Almaden Ave. 480 Almaden Ave.	264-30-020 264-30-019 264-30-018	Vacant lot	4,050 3,502 5,702	05/22/00 1999 1999	Hensel Phelps	9/7/2001	11/30/2002	\$22,800
11	96 North Second St.	467-21-013	Office	8,045	1995	Reel Grobman	10/1/1995	6/30/2003	\$23,724
12	938 The Alameda	261-32-074	Commercial	23,523	1999	Billy DeFrank Lesbian and Gay Community Center <sup>1</sup>	6/25/1999	6/24/2054	\$1

**Total      212,753  
Square Feet**

**\$238,634**

<sup>1</sup> Non-profit entity.

<sup>2</sup> This lease is on-hold for one year (August 2003).

<sup>3</sup> This property is City-owned and the Agency is the master lessor.

**Auditor's note:** Redevelopment Agency leases and agreements as of June 30, 2002. Not included are ground leases, operating agreements, and leases the Agency assumed when the property was acquired for development.